

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

KEITH RAY EASTER,)	
)	
Petitioner,)	
)	
vs.)	NO. CIV-04-1488-T
)	
)	
SAM CALBONE,)	
)	
Respondent.)	


ORDER

Petitioner, a state prisoner appearing *pro se*, brought this action for a writ of habeas corpus. In accordance with 28 U.S.C. § 636(b)(1)(B), the matter was referred to United States Magistrate Judge Bana Roberts for initial proceedings. On June 29, 2006 the magistrate judge filed a Report and Recommendation [Doc. No. 21] in which she recommended that the petition be denied.

In the Report and Recommendation, the magistrate judge advised petitioner of his right to object to same and scheduled a July 19, 2006 deadline for filing such objections. The magistrate judge also advised petitioner that a failure to timely object would constitute a waiver of his right to appellate review of the factual findings and legal conclusions contained in the Report and Recommendation. To date, petitioner has not filed an objection and has not sought an extension of time in which to do so. Therefore, he has waived the right to appellate review pursuant to Moore v. United States, 950 F.2d 656 (10th Cir. 1991).

Inasmuch as petitioner has failed to object, the Report and Recommendation [Doc. No.21] is adopted as though fully set forth herein. Accordingly, the petition for a writ of habeas corpus is denied.

IT IS SO ORDERED this 8th day of August, 2006.



RALPH G. THOMPSON
UNITED STATES DISTRICT JUDGE

